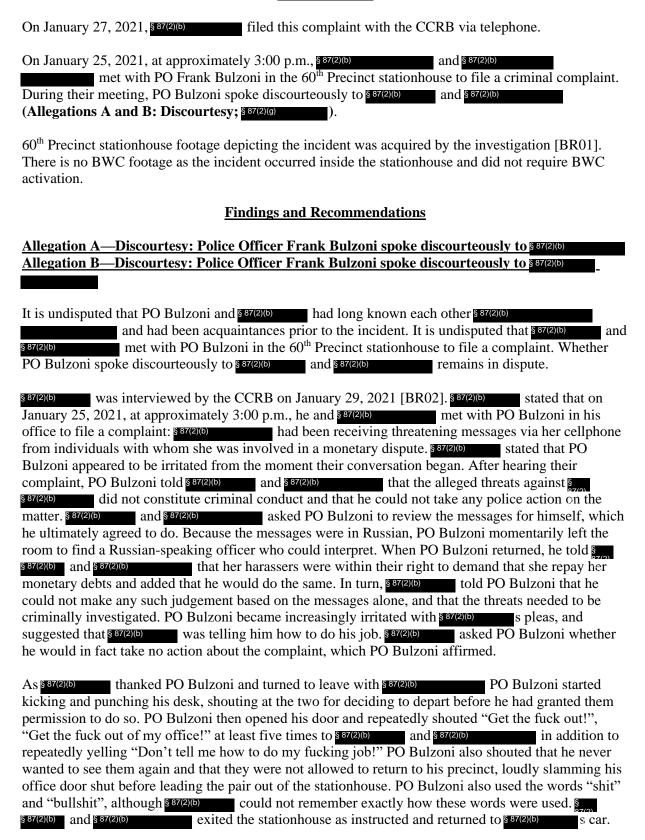
## CCRB INVESTIGATIVE RECOMMENDATION

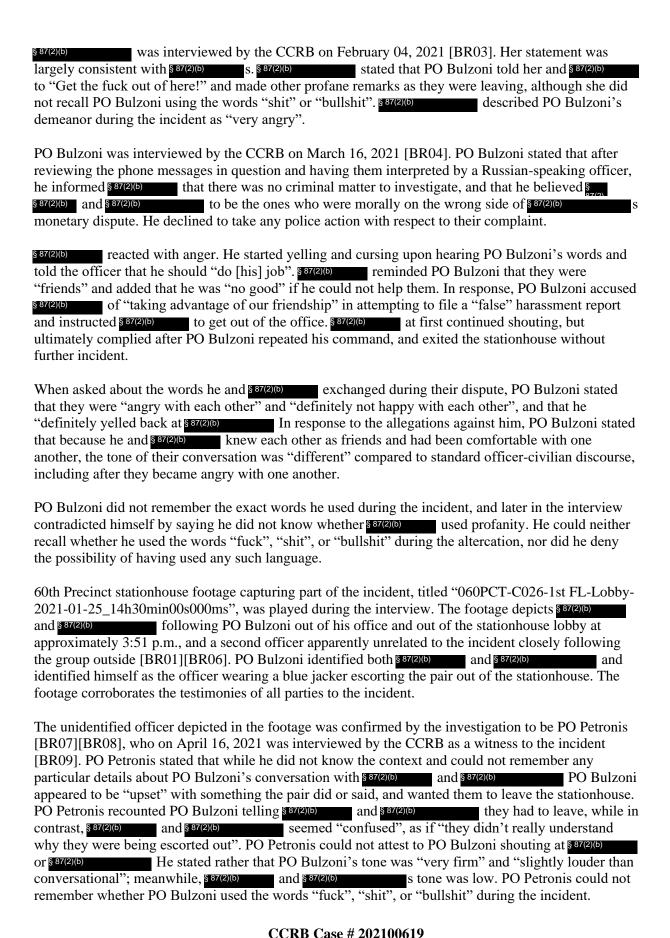
| Investigator:              |            | Team:   | CCRB Case #:              | ☐ For | rce     | ☑ Discourt     | . 🔲 U.S.   |
|----------------------------|------------|---|---------------------------|-------|---------|----------------|------------|
| Aaron Gibbings             |            | Squad #8  | 202100619                 | ☐ Ab  | use     | O.L.           | ☐ Injury   |
| Incident Date(s)           |            | Location of Incident:                             | •                         | Preci | inct:   | 18 Mo. SOL     | EO SOL     |
| Monday, 01/25/2021 3:50 PM |            | Inside the 60th Precinct located at 2951 West 8th |                           | 60    | 0       | 7/25/2022      | 7/25/2022  |
| Date/Time CV Reported      |            | CV Reported At:                                   | How CV Reported:          | : Dat | te/Time | Received at CC | CRB        |
| Wed, 01/27/2021 10:12 AM   |            | CCRB  | Call Processing<br>System | We    | d, 01/2 | 7/2021 10:12 A | M          |
| Complainant/Victim         | Type       | Home Addre  | ess                       |       |         |                |            |
|                            |            |   |                           |       |         |                |            |
| Subject Officer(s)         | Shield     | TaxID   | Command                   |       |         |                |            |
| 1. POM Frank Bulzoni       | 02681      | 936258  | 060 PCT                   |       |         |                |            |
| Witness Officer(s)         | Shield N   | o Tax No  | Cmd Name                  |       |         |                |            |
| 1. POM Thomas Petronis     | 12109      | 957032  | 060 PCT                   |       |         |                |            |
| Officer(s)                 | Allegation | on  |                           |       | Inve    | stigator Reco  | mmendation |
| A.POM Frank Bulzoni        |            | esy: Police Officer Frank<br>cously to § 87(2)(b) | k Bulzoni spoke           |       |         |                |            |
| B.POM Frank Bulzoni        |            | esy: Police Officer Frank<br>cously to § 87(2)(b) | k Bulzoni spoke           |       |         |                |            |

## **Case Summary**



CCRB CTS – Confidential

Page 1



According to Patrol Guide Procedure 200-02 [BR10], NYPD officers pledge to "maintain a higher standard of integrity than is generally expected of others because so much is expected of [officers]" and "value human life, respect the dignity of each individual and render our services with courtesy and civility". As per the Patrol Guide, these are central themes of the NYPD's mission and values.

DAO-DCT Case 2017-17276 [BR11] holds that "language which would be inappropriate for the vast majority of police-citizen encounters may be excused when used as a means of verbal suasion intended to dissuade a suspect from active resistance to an arrest". Additionally, DAO-DCT Case 2013-10143 [BR12] holds that "profanity has been found to be permissible where the officer has resorted to such language in the heat of a highly dangerous situation".

| § 87(2)(g)               |                                     |  |
|--------------------------|-------------------------------------|--|
|                          |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
| § 87(2)(g)               |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
|                          | _                                   |  |
|                          |                                     |  |
| § 87(2)(g)               |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
|                          | Civilian and Officer CCRB Histories |  |
|                          |                                     |  |
| • § 87(2)(b), § 87(2)(g) |                                     |  |
|                          |                                     |  |
|                          |                                     |  |
| _                        |                                     |  |

- This is the first CCRB complaint to which §87(2)(b) has been a party.
- PO Bulzoni has been a member of service for 16 years. He has been the subject in 16 prior CCRB complaints totaling 33 allegations, of which two were substantiated.
  - o 201200928 involved a substantiated allegation of a frisk against PO Bulzoni. The Board recommended Charges, and the NYPD declined to prosecute.
  - 201100781 involved a substantiated allegation of discourtesy against PO Bulzoni. The Board recommended Command Discipline, and the NYPD imposed Command Discipline B.

○ § 87(2)(g

## **Mediation, Civil and Criminal Histories**

- declined to mediate this complaint.
- According to the Office of Court Administration (OCA), neither \$87(2)(b) nor \$87(2)(b) have been convicted of any crimes in New York City.
- A Notice of Claim FOIL request for this incident yielded negative results.

| Squad No.:    | 8                         |  |                    |
|---------------|---------------------------|--|--------------------|
| Investigator: | Agron Coloryo Signature   | Investigator Aaron Gibbings Print Title & Name | 05/10/2021<br>Date |
| Squad Leader: | Ethan De Angelo Signature | IM Ethan De Angelo Print Title & Name          | 5/10/2021<br>Date  |
| Reviewer:     | Signature                 | Print Title & Name                             | Date               |